

Message Text

LIMITED OFFICIAL USE

PAGE 01 MOSCOW 03824 201548 Z

42

ACTION EB-11

INFO OCT-01 EUR-25 ADP-00 L-03 LOC-01 PA-03 PRS-01 USIE-00

CIAE-00 INR-09 NSAE-00 RSC-01 INRE-00 RSR-01 SSO-00

/056 W

----- 101057

O 201510 Z MAR 73

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC IMMEDIATE 7319

LIMITED OFFICIAL USE MOSCOW 3824

E. O. 11652: N/ A

TAGS: EIND, US, UR

SUBJ: SOVIET COPYRIGHT LAW

REF.: STATE 050084

1. BASIC SOVIET COPYRIGHT LAW IS CONTAINED IN PART IV OF OSNOVY GRAZHDANSKOGO ZAKONODATEL' STVA SOYUZA SSR/ I SOYUZNYKH RESPUBLIK OF DECEMBER 8, 1961 (AND PUBLISHED IN VEDOMOSTI VERKHOVNOGO SOVYETA OF DECEMBER 15, 1961). AMENDMENT TO THIS LAW PROMULGATED BY UKAZ OF PRESIDUM OF SUPREME SOVIET DATED FEBRUARY 21 AND PUBLISHED IN FEBRUARY 28 VEDOMOSTI. FULL DETAILS OF CHANGES (ACCORDING TO AFFECTED ARTICLES OF 1961 LAW) ARE AS FOLLOWS.

2. ARTICLE 97 (COPYRIGHT ON WORKS APPEARING ON TERRITORY OF USSR AND ABROAD). FIRST AND SECOND PARAGRAPH ARE AMENDED TO EXTEND COPYRIGHT COVERAGE TO LEGAL SUCCESSORS (PRAVOPREYEMNIKI) OF AUTHORS AS WELL AS TO THEIR HEIRS. PARAGRAPH THREE, DEALING WITH WORKS OF NON- SOVIET CITIZENS APPEARING ABROAD, IS CHANGED IN THAT SOVIET GOVERNMENT WILL TREAT THESE WORKS " IN ACCORDANCE WITH INTERNATIONAL TREATIES OR AGREEMENTS IN WHICH THE USSR PARTICIPATES." A FOURTH PARAGRAPH IS ADDED, AS FOLLOWS: " COPYRIGHT IS RECOGNIZED ON THE TERRITORY OF THE USSR FOR FOREIGN LEGAL SUCCESSORS OF USSR CITIZEN- AUTHORS IN CASES OF TRANSFER OF THIS RIGHT

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MOSCOW 03824 201548 Z

TO THEM ACCORDING TO PROCEDURE ESTABLISHED BY LEGISLATION
IN THE USSR."

3. ARTICLE 98 (RIGHTS OF AUTHOR). THIS SECTION, WHICH
DEALS WITH RIGHTS OF AUTHORS TO PUBLISH, REPUBLISH, AND

DISTRIBUTE THEIR WORKS IS ALTERED AS FOLLOWS: " THE PROCEDURE
FOR TRANSFER OF THE RIGHT BY A USSR CITIZEN- AUTHOR FOR THE
USE OF HIS WORK ON THE TERRITORY OF A FOREIGN STATE IS BEING
ESTABLISHED BY USSR LEGISLATION."

4. ARTICLE 101 (UTILIZATION OF AN AUTHOR' S WORK BY OTHER
INDIVIDUALS). THIS ARTICLE, DEALING WITH PROTECTION OF AN
AUTHOR' S WORK AGAINST EXPLOITATION, IS AMPLIFIED TO INCLUDE
TRANSLATIONS. ALSO, WORD " HEIR" IS REPLACED BY " LEGAL
SUCCESSORS."

5. ARTICLE 102 (TRANSLATION OF A WORK INTO ANOTHER LANGUAGE).
HAS BEEN CHANGED ENTIRELY, TO READ AS FOLLOWS: " THE TRANS-
LATION OF A WORK INTO ANOTHER LANGUAGE FOR THE PURPOSE OF
PUBLISHING IT IS NOT PERMITTED OTHER THAN WITH THE CONSENT

OF THE AUTHOR OR HIS LEAGAL SUCCESSORS.

" COMPETENT ORGANS OF THE USSR MAY, IN A PROCEDURE BEING
ESTABLISHED BY USSR LEGISLATION, PERMIT THE TRANSLATION OF
A WORK INTO ANOTHER LANGUAGE AND THE PUBLISHING OF THIS
TRANSLATION, WITH THE OBSERVATION IN INDIVIDUAL CASES OF
THE CONDITIONS OF INTERNATIONAL TREATIES OR INTERNATIONAL
AGREEMENTS IN WHICH THE USSR PARTICIPATES.

" COPYRIGHT BELONGS TO A TRANSLATOR ON A TRANSLATION
CARRIED OUT BY HIM."

6. ARTICLE 103 (UTILIZATION OF A WORK WITHOUT AUTHOR' S
AGREEMENT AND WITHOUT PAYMENT OF COMPENSATION TO AUTHOR).
IN POINT FOUR OF ARTICLE 103 WORDS " IN NEWSPAPERS" ARE
DELETED AND NEW POINT FIVE IN ADDED, AS FOLLOWS: " RE-
PRODUCTION IN NEWSPAPERS OF PUBLICLY DELIVERED SPEECHES,
REPORTS, AND ALSO PUBLISHED WORKS OF LITERATURE, SCIENCE,
AND ART, BOTH IN THE ORIGINAL AND IN TRANSLATION." FORMER
POINT FIVE BECOMES POINT SIX, AND A POINT SEVEN IS ADDED
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 MOSCOW 03824 201548 Z

AS FOLLOWS: " REPRODUCTION (REPRODUTSIROVANIYE AND NOT

RPT NOT VOSPROIZVEDYENIYE) OF PRINTED WORKS FOR NON- PROFIT
SCIENTIFIC AND EDUCATIONAL PURPOSES."

7. ARTICLE 105 (TERM OF VALIDITY FOR COPYRIGHT). ARTICLE
IS ALTERED COMPLETELY, AS FOLLOWS: " COPYRIGHT IS VALID
THROUGHOUT THE ENTIRE LIFE OF THE AUTHOR AND 25 YEARS
AFTER HIS DEATH, COUNTING FROM JANUARY 1 OF THE YEAR
FOLLOWING THE DEATH OF THE AUTHOR.

" THROUGH LEGISLATION THE UNION REPUBLICS MAY ESTABLISH
SHORTENED PERIODS FOR WHICH COPYRIGHT IS VALID ON
PHOTOGRAPHIC WORKS AND WORKS IN THE APPLIED ARTS. THESE
TERMS CAN NOT BE LESS THAN TEN YEARS FROM THE DATE OF
APPEARANCE OF SUCH A WORK THROUGH ITS REPRODUCTION.

" COPYRIGHT IS TRANSFERRED BY INHERITANCE. IN THE EVENT
OF A SHORTENED TERM OF VALIDITY FO
E E E E E E E

*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 20 MAR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: smithrj
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973MOSCOW03824
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: n/a
Errors: CORE6
Film Number: n/a
From: MOSCOW
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730333/aaaaibdr.tel
Line Count: 131
Locator: TEXT ON-LINE
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 73 STATE 050084
Review Action: RELEASED, APPROVED
Review Authority: smithrj
Review Comment: n/a
Review Content Flags: ANOMALY
Review Date: 25 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <25-Sep-2001 by elyme>; APPROVED <29-Nov-2001 by smithrj>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> srp 971216
Subject: SOVIET COPYRIGHT LAW
TAGS: EIND, UR, US
To: EB
SECSTATE WASHDC
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005